

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

ROCK DESIGN, INC.,

07-CV-1431-AC

Plaintiff,

ORDER

v.

LODESTONE CONTSTRUCTION, INC.,  
and DANIEL J. BAYNE,

Defendants.

**BRETT J. HALL**

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**BROWN, Judge.**

Magistrate Judge Donald C. Ashmanskas<sup>1</sup> issued Findings and Recommendation (#16) on January 22, 2008, in which he recommended this Court deny Defendants' Motion to Dismiss(#5) for improper venue. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9<sup>th</sup> Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8<sup>th</sup> Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Ashmanskas's Findings and Recommendation (#16), and accordingly, **DENIES** Defendants' Motion

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<sup>1</sup>This case was reassigned to Magistrate Judge John V. Acosta on March 5, 2008. The Findings & Recommendation were referred to this Court on April 22, 2008.

to Dismiss (#5).

IT IS SO ORDERED.

DATED this \_\_\_\_29<sup>th</sup>\_\_\_\_ day of April, 2008.

\_\_\_\_/s/ Anna J. Brown\_\_\_\_  
ANNA J. BROWN  
United States District Judge